

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION

ASSOCIATION CONCERNED OVER  
RESOURCES AND NATURE, INC.,

Plaintiff,

v.

TENNESSEE ALUMINUM  
PROCESSORS, INC.,

Defendant.

Civil Action No. 1:10-cv-00084

Judge Haynes

*ANDERSON*  
*This motion is*  
*DENIED as it was prejudicial*  
*to the success of the*  
*motion papers*

**PLAINTIFF'S MOTION REQUESTING ORAL ARGUMENT**

Plaintiff Association Concerned Over Resources and Nature, Inc. ("ACORN"), pursuant to LR 78.01, respectfully requests that this Honorable Court hold oral argument on Defendant Tennessee Aluminum Processors, Inc.'s ("TAP") Motion to Dismiss [Doc. 11], and in support thereof shows unto the Court the following:

*The Court*  
*may set*  
*oral*  
*argument.*  
*L. Haynes*  
*11-15-10*

1. TAP's Motion to Dismiss [Doc. 11] and Memorandum of Law in Support of Motion to Dismiss [Doc. 12], as well as ACORN's Memorandum in Opposition to TAP's Motion to Dismiss [Doc. 18] present numerous complex and novel issues of law under the federal Clean Water Act ("CWA") and Resource Conservation and Recovery Act ("RCRA"), as well as intricate procedural issues. Thus, ACORN believes that oral argument on this Motion is particularly desirable.

WHEREFORE, FOR GOOD CAUSE SHOWN, Plaintiff ACORN respectfully requests that the Court hold oral argument on Defendant TAP's Motion to Dismiss.